IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

WRIT PETITION NO. 2575 OF 2006.

The Oriental Insurance Co.Ltd. ... Petitioner.
V/s.
Mrs. Jaya Unni Nair & ors. .. Respondent.

Shri R.S. Darandale for the petitioner.

CORAM : V.C.DAGA, J.

DATED : 20.9.2006.

P.C. :

. Heard learned Counsel for the petitioner.

Perused petition.

. The case of the petitioner is that the cheque by which premium was paid could not be honoured by the policy holder, with the result the policy issued had become void ab-initio. However, no documents are produced either before this Court or before the Tribunal in support of this submission.

2. In the above view of the matter, no interference with the impugned order at this stage is called for. However. in order to safeguard interest of the Insurance Company, it would be in the fitness of things not to permit the respondents to withdraw the amount of Rs. 25,000/- for a period of six weeks from the date of communication of this order. During this period, it would be open for the

petitioner to move for review of the impugned order dated 12.4.2005 and seek appropriate orders passed on the basis of documents that the Insurance Co. may produce. It would be open for the Tribunal to consider issue in its proper perspective in accordance with law. All rival contentions are kept open. No order as to costs.

(V.C.DAGA,J.)